

WSDOT I-90 Wilson Creek Bridge
File Number PAU-23-00001
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

I. GENERAL INFORMATION

Requested Action: WSDOT-South Central Region, property owner, submitted a Public Agency & Utility Exception application to repair & rehabilitate the existing westbound bridge over Wilson Creek on Interstate 90 near Ellensburg, WA, perform structural repairs on the eastbound bridge and install a temporary bridge spanning Wilson Creek to shift traffic around the work zone. Public Agency & Utility Exceptions are processed under KCC 17A.01.060.

Location: The subject property is located at I-90 Mile Posts 109.13-109.15, 0.36 miles prior to eastbound exit 109 west of the I-90 bridge over Canyon Road in Ellensburg, WA in Section 11, Township 17N, Range 18E in Kittitas County.

II. SITE INFORMATION

Total Property Size:	N/A
Number of Lots:	N/A
Domestic Water:	N/A
Sewage Disposal:	N/A
Power/Electricity:	N/A
Fire Protection:	Kittitas Valey Fire & Rescue (Fire District 2)

Site Characteristics:

North: Wilson Creek/Public Lands/Urban Lands
South: Wilson Creek/Agriculture Lands
East: Interstate ROW
West: Interstate ROW

Access: The site is accessed via I-90.

III. ZONING, ENVIRONMENTAL AND DEVELOPMENT STANDARDS

The subject properties have a zoning designation of Interstate-90 ROW. The subject property has a land use designation of Urban.

The applicant is requesting to utilize the public agency & utility exception process pursuant to KCC 17A.01.060(1), to perform structural repairs to the I-90 bridge spanning Wilson Creek and the associated critical area buffer requirements in KCC 17A.04.030 regarding the required stream buffer (100 ft). Title 17A.01.060(1)(c) of the Kittitas County Code outlines 5 criteria in which a reasonable use can be granted. The applicant must demonstrate that the proposal **has met all five criteria**. The following is a summary describing whether or not each criterion has been satisfactorily demonstrated:

KCC 17A.01.060(2)(c) Granting Criteria (all seven must be met):

1. There is no other practical alternative to the proposed development with less impact on the critical area and its buffer.

Applicant Response

This work is critical to maintain local and through access to I-90, an essential transportation corridor for the state of Washington. With an uptick in work zone incidents, diverting traffic away from the work zone is critical for the safety of highway workers and the travelling public. Other concepts considered for this work included:

- i. Construction of a larger bridge (~500ft) over the Canyon Road interchange. This alternative was identified as infeasible and not cost-effective.*
- ii. Reducing I-90 to one lane. This would cause significant back-ups on I-90 and create an unsafe work zone for contractors.*

Staff Response

CDS staff have reviewed the complete file information, including but not limited to the applicant submitted information and comments received during the comment period. The current critical areas and associated buffers for the proposed project, as outlined in the Critical Areas report, prevent a lesser impact than what is proposed in this application.

The applicant has demonstrated in a factual and meaningful way that there is no other practical alternative to the proposed development with less impact on the critical area and its buffer. The public agency & utility exception request, as presented, is consistent with KCC 17A.01.060(1)(c)(i).

2. The application of this Title would unreasonably restrict the ability to provide utility and/or agency services to the public.

Applicant Response

As the responsible agency for I-90 maintenance, WSDOT is obligated to maintain structurally deficient highway infrastructure. The existing concrete bridge deck has potholes, patches, spalling, rutting, and cracking. This repetitive patching and maintenance on the bridge deck causes intermittent delays for the travelling public and exposes highway workers to traffic more frequently.

Staff Response

CDS staff have reviewed the complete file information, including but not limited to the applicant's submitted information and comments received during the comment period. CDS believes this Title would unreasonably restrict the ability of WSDOT to maintain, repair or rehabilitate the I-90 bridges over Wilson Creek.

The applicant has demonstrated in a factual and meaningful way that the application of this Title (KCC 17A) would unreasonably restrict the ability to provide utility and/or agency services to the public. The public agency & utility exemption request, as presented, is consistent with KCC 17A.01.060(1)(c)(ii).

3. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site.

Applicant Response

A no-action alternative would be a greater threat to the safety of the travelling public.

Staff Response

CDS believes that the proposed project would not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site.

The applicant has demonstrated in a factual and meaningful way that the proposal does not pose an

unreasonable threat to the public health, safety, or welfare on or off the development proposal site. The public agency & utility exemption request, as presented, is consistent with KCC 17A.01.060(1)(c)(iii).

4. The proposal attempts to protect and mitigate impacts to the critical area functions and values consistent with the best available science.

Applicant Response

WSDOT will seek coverage under WDFW's Hydraulic Project Approval (HPA) process. Common requirements permittees are subject to under the HPA include riparian vegetation protection/restoration, containment structures that prevent pollutant discharge to state waters and other Best Management Practices (BMP's) to prevent environmental degradation. All impacts are temporary, there will be no permanent impacts to the critical area or its function.

Staff Response

CDS staff have reviewed the complete file information, including but not limited to the applicant's submitted information and comments received during the comment period. The applicant has demonstrated that they will be taking steps to mitigate impacts to the critical area functions & values consistent with the best available science.

The applicant has demonstrated in a factual and meaningful way that the proposal attempts to protect and mitigate impacts to the critical area functions and values consistent with the best available science. The public agency & utility exemption request, as presented, is consistent with KCC 17A.01.060(1)(c)(iv).

5. The proposal is consistent with other applicable regulations and standards.

Applicant Response

WSDOT is legally required to protect sensitive environmental areas and obtain any relevant permits in support of the project. The following pieces of environmental documentation have been, or will be prepared for this project:

- i. NEPA/SEPA Project Approval*
- ii. Sec. 106 of the National Historic Preservation Act Exemption*
- iii. Washington Department of Fish and Wildlife (WDFW) Individual Hydraulic Permit Approval*
- iv. Endangered Species Act Review and Letter of Concurrence from WDFW and NMFS*
- v. Ecology Construction Stormwater permit*

Staff Response

The proposal is consistent with other applicable regulations & standards.

The applicant has demonstrated in a factual and meaningful way that the proposal is consistent with other applicable regulations and standards. The public agency & utility exemption request, as presented, is consistent with KCC 17A.01.060(1)(c)(v).

Staff Conclusions

Staff finds that the public agency & utility exception request **does** meet all five criteria outlined in KCC 17A.01.060(1)(c) as described above. Therefore, the critical areas public agency & utility request is consistent with the conditions necessary to grant a public agency & utility exception under KCC 17A.01.060(1)(c).

IV. ADMINISTRATIVE REVIEW

Deem Complete: The application was determined complete on December 28, 2023.

Notice of Application: Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on January 2, 2024, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on January 17, 2024, and all comments were transmitted to the applicant on January 22, 2024.

V. ENVIRONMENTAL REVIEW

A critical area review was performed by CDS staff and GIS data indicates a R5UBH wetland and Stream Type F on the property. Through a Critical Area report performed by WSDOT South Central Region Environmental, it was discovered that there is a Type F stream located within the proposed project and no wetland was identified.

For a Type F Stream, the current required buffer in KCC 17A.04.030.4 is a 100-foot buffer from the Ordinary High-Water Mark (OHWM) of the creek since it is within the Columbia Plateau Ecoregion. This does not include the additional 15' building setback in KCC 17A.01.090.5.

The proposed project is within the required buffers for a Type F stream and requires public agency & utility exception. The interrupted buffer criteria would apply because the 100' foot buffer beyond the OHWM is comprised of highway fill and serves no critical area function.

With the public agency & utility exemption, a mitigation plan and interrupted buffer criteria, the project is consistent with the provisions of KCC 17A as it relates to areas impacted by critical areas & their buffers.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

VII. PROJECT ANALYSIS

In review of this proposal, it is important to consider the applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is the planning staff's analysis and consistency review for the subject application.

Consistency with the provisions of KCC 17A, Critical Areas:

A critical area review was performed by CDS staff and GIS data indicates a R5UBH wetland and Stream Type F on the property. Through a Critical Area report performed by WSDOT South Central Region Environmental, it was discovered that there is a Type F stream located within the proposed project and no wetland was identified.

For a Type F Stream, the current required buffer in KCC 17A.04.030.4 is a 100-foot buffer from the Ordinary High-Water Mark (OHWM) of the creek since it is within the Columbia Plateau Ecoregion. This does not include the additional 15' building setback in KCC 17A.01.090.5.

The proposed project is within the required buffers for a Type F stream and requires public agency & utility exception. The interrupted buffer criteria would apply because the 100' foot buffer beyond the

OHWB is comprised of highway fill and serves no critical area function.

With the public agency & utility exemption, a mitigation plan and interrupted buffer criteria, the project is consistent with the provisions of KCC 17A as it relates to areas impacted by critical areas & their buffers.

Consistency with the provisions of the KCC Title 17, Zoning:

The proposal must be consistent with the provisions of KCC Title 17.

Consistency with the provisions of KCC Title 17A, Critical Areas:

The proposal must be consistent with the provisions of KCC Title 17A.

Agency Comments:

Timely comments were received from the following agencies during the comment period: Confederated Tribes of Colville Reservation, KC Fire Marshal, KC PUD, WSDOT – Aviation, Snoqualmie Tribe, KCPW, WA Dept of Ecology, KC Public Health Department. All comments are on file and available for public review.

Kittitas County Fire Marshall

No comments from the Fire Marshal's office.

Applicant Response

No response.

Staff Response

CDS has provided these comments to the applicant.

Kittitas County Public Works (KCPW)

Kittitas County Public Works provided comment on this application on January 17, 2024.

- No transportation concurrency required for this application.
- A floodplain development permit is not required for the WSDOT I-90 Wilson Creek Bridge project. All proposed development is above the base flood elevation of 1488.6' NAVD 1988.

Applicant Response

No response.

Staff Response

CDS has provided these comments to the applicant.

Kittitas County Public Health Department

KC Public Health Department has no comments.

Applicant Response

No response.

Staff Response

CDS has provided these comments to the applicant.

Confederated Tribes of the Colville Reservation

This consultation is in response to PAU-23-00001 WSDOT I-90 Wilson Creek Bridge. This undertaking is for repair efforts for the I-90 Highway Bridge over Wilson Creek. This will include ground disturbance around the creek, but not in the creek.

CCT H/A requests a cultural resource survey prior to implementation and that there be an Inadvertent discovery plan in place prior to implementation, we will also look for DAHP concurrence on this request.

This undertaking is located within the CCT Usual and Accustom Territories. We request any undertakings, particularly those involving ground disturbing activities, to have an IDP in place prior to implementation. The proposed project lies within the Usual and Accustom territory of the Moses-Columbia Tribe, 1 of the 12 constituent tribes of the Confederated Tribes of the Colville Reservation (CTCR), which is governed by the Colville Business Council (CBC). The CBC has delegated to the Tribal Historic Preservation Officer (THPO) the responsibility of representing the CTCR with regard to cultural resources management issues throughout the traditional territories of all of the constituent tribes under Resolution 1996-29. This area includes parts of eastern Washington, northeastern Oregon, the Palus territory in Idaho, and south-central British Columbia.

There are no known cultural resources of precontact and historic significance nearby, but this parcel is considered Very High Risk for an inadvertent discovery according to the DAHP predictive model. The bridge under consideration sits at a confluence of Naneum Creek and Wilson Creek which increases the risk to cultural resources. There was a previous survey of the area to the northwest but it was conducted in 1998 and outside the scope of this current proposal.

CCT H/A requests a Cultural Resource Survey and further requests that during implementation there be an Inadvertent Discovery Plan or (IDP) in place to ensure compliance with all Section 106 and relevant cultural resource laws both federally and to the state of Washington.

Applicant Response

This letter is in response to comments received from the CTCR during the comment period for WSDOT's I-90 Wilson Creek Bridge (PAU-23-00001) with Kittitas County Community Development Services.

In accordance with the 2019 Programmatic Agreement, the proposed project was reviewed by a WSDOT Cultural Resources Specialist and was exempted under the stipulations listed below, as the ground-disturbing work will be limited to the I-90 median fill prism. A project-specific Inadvertent Discovery Plan will be included in the contract per WSDOT Standard Specifications.

- *A-1 Roadway surface replacement, overlays, shoulder treatments, rumble strips, pavement repair, seal coating, pavement grinding, and pavement markings that do not include ground disturbance or is within the demonstrated vertical and horizontal limits of previous disturbance.*
- *A-10 Bridge deck pavers and striping projects.*
- *A-13 Work within interchanges, medians of divided highways, or between a highway and an adjacent frontage road within the demonstrated vertical and horizontal limits of previous construction or disturbance.*
- *A-23 Geotechnical borings, data collection, and non-invasive environmental sampling required to support the planning or design of an undertaking.*

Additionally, the project's scope and programmatic exemption status were presented at WSDOT's annual (in-person) meeting with the Colville Tribe in February of 2023, where no further cultural survey was recommended.

We appreciate your continued support and coordination on WSDOT projects. Please reach out to Kelsey Cogar (cogark@wsdot.wa.gov) should additional comments or questions arise.

The applicant included the following memorandum from May 16, 2023 in their comments.

TO: Kelsey Bechtholdt, South Central Region

FROM: Erin Littauer, Cultural Resources Specialist

RE: I-90 Wilson Creek Bridge Westbound and Westside Canal Bridge Eastbound Deck Rehabilitation Project and Geotech, National Historic Preservation Act (NHPA) Section 106 Exempt Status

PLEASE NOTE: If design modifications or additions are developed following this review which exceed the conditions noted in the current plans or description herein, those modifications must be evaluated by a WSDOT Cultural Resources Specialist.

Pursuant to 36 CFR 800.14, the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Western Federal Lands, the Advisory Council on Historic Preservation (ACHP), the Washington State Department of Transportation (WSDOT), and the Washington State Department of Archaeology and Historic Preservation (DAHP) have entered into a programmatic agreement regarding the implementation of the Federal-aid Highway, Federal Lands Highway, and Federal Transit Programs in Washington State. Stipulation VII (A)(1) of the programmatic agreement (PA) defines the procedure to screen all highway, bridge and transit infrastructure activities for potential effects to historic properties. Screened activities presumed to have minimal or no potential to effect historic properties may be exempt from further Section 106 review by FHWA, FTA, DAHP or ACHP per terms and conditions set forth in Appendix B of the PA.

Project Description

Project activities will include bridge deck rehabilitation of the westbound bridge over Wilson Creek and eastbound bridge at the Westside Canal crossing on I-90. The purpose of the activity is to repair and resurface the existing bridge decks to maintain the structural integrity, continue safe operation of the highway, and extend the service life of the bridges. At the Wilson Creek crossing on westbound I-90, a temporary span bridge will be installed in the highway median as a detour during construction. Geotechnical borings will be located in the highway median along Wilson Creek for the detour structure and scaffolding for the repairs. A standard median detour will be constructed at the Westside Canal crossing. Work at both locations will be located entirely within the WSDOT ROW and previously disturbed sediments (or roadway fill) of the median.

Review and Documentation

The cultural resources assessment for this project included a review of historical and contemporary geospatial and environmental data; WSDOT GIS, DAHP WISAARD databases, and the DNR LiDAR Web Portal, to identify any known cultural resources or previous cultural resources studies within the project area. The WSDOT SRView photographic documentation was also evaluated. No impact to any known cultural resources have been identified and the likelihood is low for encountering any previously unidentified cultural resources given the project does not include any ground disturbing activities beyond the existing paved surface of the roadway and previously disturbed sediments and roadway fill in the highway median.

Determination of Exemption

Following the results of this review, and in accordance with Stipulation VII(A)(1) of the PA, this undertaking is determined to have minimal or no potential to cause effects to historic properties and is exempt from further Section 106 consultation per Stipulation A-1, A-10, A-13, and A-23 of Exhibit B, which states:

A-1 Roadway surface replacement, overlays, shoulder treatments, rumble strips, pavement repair, seal coating, pavement grinding, and pavement markings that do not include ground disturbance or is within the demonstrated vertical and horizontal limits of previous disturbance.

A-10 Bridge deck pavers and striping projects.

A-13 Work within interchanges, medians of divided highways, or between a highway and an adjacent

frontage road within the demonstrated vertical and horizontal limits of previous construction or disturbance.

A-23 Geotechnical borings, data collection, and non-invasive environmental sampling required to support the planning or design of an undertaking.

This determination will be posted for public record on WSDOT's website and this memorandum serves as the written record of this determination. As noted at the outset of this memorandum, if project plans are modified or additions are made, those changes must be evaluated by a WSDOT Cultural Resources Specialist. An Unanticipated Discovery Plan should be attached to this project in order to provide guidance in the event of post-review discovery of cultural resources during this project.

If any additional information is needed, please contact Erin Littauer, WSDOT Cultural Resources Specialist, via email at erin.littauer@wsdot.wa.gov or via telephone at 360.570.2448. I certify that, to the best of my knowledge at the time of writing, the information contained in this memorandum is true and correct.

*Erin Littauer, MA, RPA
Cultural Resources Specialist
WSDOT Environmental Services Office
2214 RW Johnson Boulevard SW
Tumwater WA 98512-611*

Staff Response

CDS has conditioned this determination to ensure the applicant shall have an Inadvertent Discovery Plan (IDP) in place prior to the start of the project.

Snoqualmie Tribe

The Snoqualmie Tribe [Tribe] is a federally recognized sovereign Indian Tribe. We were signatory to the Treaty of Point Elliott of 1855; we reserved certain rights and privileges and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliot, the Tribe specifically reserved among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern-day state of Washington.

Thank you for the opportunity to review and comment. Based on the information provided and our understanding of the project and its APE we have no substantive comments to offer at this time. However, please be aware that if the scope of the project or the parameters for defining the APE change we reserve the right to modify our current position.

Applicant Response

No response.

Staff Response

CDS has conditioned this determination to ensure the applicant shall have an Inadvertent Discovery Plan (IDP) in place prior to the start of the project.

Kittitas County Public Utilities District (PUD)

No comments from the Kittitas County PUD.

Applicant Response

No response.

Staff Response

CDS has provided these comments to the applicant.

Washington Department of Ecology

Thank you for the opportunity to comment on the Notice of Application for the WSDOT I-90 Wilson Creek Bridge. We have reviewed the application and have the following comment.

Water Quality Project with Potential to Discharge Off-Site

If your project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>.

Applicant Response

In response to the comments received from the Department of Ecology, this project will obtain Construction Stormwater General Permit Coverage prior to construction. WSDOT also reviews Erosion and Sediment Control Plans for an accurate description of existing conditions and site Best Management Practices prior to acceptance.

Staff Response

CDS has conditioned the application to include WSDOT working with the Department of Ecology to obtain any required Construction Stormwater General Permit.

WSDOT – Aviation

WSDOT Aviation Division reviewed the provided information on 11/14/2023. We have no comments.

Applicant Response

No response.

Staff Response

CDS has provided these comments to the applicant.

Public Comments:

There were no public comments for this reasonable use request.

All comments received during the comment period were transmitted to the applicant on January 22, 2024. The applicant responded on January 24, 2024, with the comments as noted above.

VIII. FINDINGS OF FACT

1. WSDOT-South Central Region, property owner, submitted a Public Agency & Utility Exception application to repair & rehabilitate the existing westbound bridge over Wilson Creek on Interstate 90 near Ellensburg, WA, perform structural repairs on the eastbound bridge and install a temporary bridge spanning Wilson Creek to shift traffic around the work zone. Public Agency & Utility Exceptions are processed under KCC 17A.01.060.
2. Location: The subject property is located at I-90 Mile Posts 109.13-109.15, 0.36 miles prior to eastbound exit 109 west of the I-90 bridge over Canyon Road in Ellensburg, WA in Section 11, Township 17N, Range 18E in Kittitas County.
3. Site Information

Total Property Size:	N/A
Number of Lots:	N/A
Domestic Water:	N/A
Sewage Disposal:	N/A
Power/Electricity:	N/A
Fire Protection:	Kittitas Valey Fire & Rescue (Fire District 2)
4. Site Characteristics:

North:	Wilson Creek/Public Lands/Urban Lands
South:	Wilson Creek/Agriculture Lands
East:	Interstate ROW
West:	Interstate ROW

The site is accessed via Interstate 90.

5. The Comprehensive Plan land use designation is Urban. The zoning is Interstate 90 Right of Way.
6. A Public Agency & Utility Exception application was submitted to Kittitas County Community Development Services department on December 7, 2023.
7. The application was determined complete on December 28, 2023.
8. Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on January 2, 2024, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on January 17, 2024, and all comments were transmitted to the applicant on January 22, 2024.
9. A critical area review was performed by CDS staff and GIS data indicates a R5UBH wetland and Stream Type F on the property. Through a Critical Area report performed by WSDOT South Central Region Environmental, it was discovered that there is a Type F stream located within the proposed project and no wetland was identified.

For a Type F Stream, the current required buffer in KCC 17A.04.030.4 is a 100-foot buffer from the Ordinary High-Water Mark (OHWM) of the creek since it is within the Columbia Plateau Ecoregion. This does not include the additional 15' building setback in KCC 17A.01.090.5.

The proposed project is within the required buffers for a Type F stream and requires public agency & utility exception. The interrupted buffer criteria would apply because the 100' foot buffer beyond the OHWM is comprised of highway fill and serves no critical area function.

With the public agency & utility exemption, the WSDOT mitigation plan and interrupted buffer criteria, the project is consistent with the provisions of KCC 17A as it relates to areas impacted by critical areas & their buffers.

10. The proposal is consistent with the provisions of KCC 17A, Critical Areas as conditioned.
11. The proposal is consistent with the Public Agency & Utility exception criteria in KCC 17A.01.060(1)(c). All five criteria have been satisfied.
12. Timely comments were received from the following agencies during the comment period: Confederated Tribes of Colville Reservation, KC Fire Marshal, KC PUD, WSDOT – Aviation, Snoqualmie Tribe, KCPW, WA Dept of Ecology, KC Public Health Department. All comments are on file and available for public review.
13. No public comments were received.

IX. STAFF CONCLUSIONS:

1. This proposal has satisfied all five criteria of KCC Title 17A.01.060(1)(c).
2. The proposal is consistent with state and federal regulations.
3. The proposal is consistent with local regulations Title 17 Zoning, Title 17A Critical Areas.

X. DECISION AND CONDITIONS OF APPROVAL:

Kittitas County Community Development Services finds that the WSDOT I-90 Wilson Creek Bridge Public Agency & Utility Exemption Request (PAU-23-00001) is hereby **approved**. The WSDOT I-90 Wilson Creek Bridge Public Agency & Utility Exception Request has satisfied the requirements of a public agency & utility exception pursuant to KCC 17A.01.060(1)(c).

CONDITIONS OF APPROVAL:

1. The project shall proceed in substantial conformance with the plans and application materials on file with CDS dated December 7, 2023 and subsequent information included in the complete file index except as amended by the conditions herein.
2. The applicant shall comply with all local, State and Federal regulations, including environmental standards and regulations in place at the time of project commencement.
3. The applicant shall comply with local regulations, Title 17 Zoning, Title 17A Critical Areas.
4. Should ground disturbing or other activities related to this proposal result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP). Work shall remain suspended until the findings are assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.
5. The applicant is to work with the Washington Department of Fish and Wildlife on a Hydraulic Project

Approval for the stream impacting the project area.

6. The applicant shall work with the Department of Ecology to obtain any required Construction Stormwater Permits.
7. The applicant shall comply with the mitigation plan submitted by WSDOT as part of the Critical Areas Report for the proposed project.

Responsible Official



Bradley Gasawski

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7539

Date: February 13, 2024

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1670 to Kittitas County. The appeal deadline for this project is February 27, 2024, at 5:00p.m. Appeals shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.